


Name of Policy: Campus free speech Policy Number: 33645-17 Provost and Executive Vice President for Academic Affairs Scope All University of Toledo campuses		 Effective date: January 12, 2024 Original effective date: January 12, 2024	
Keywords			
<input checked="" type="checkbox"/>	New policy	<input type="checkbox"/>	Minor/technical revision of existing policy
<input type="checkbox"/>	Major revision of existing policy	<input type="checkbox"/>	Reaffirmation of existing policy

(A) Policy statement

This policy applies to the university of Toledo (“university”) students, student groups, faculty and staff.

(B) Purpose of policy

The university is committed to maintaining the campus as a marketplace of ideas for all students and all faculty in which the free exchange of ideas is not suppressed because the ideas put forth are thought by some or even by most members of the institution's community to be offensive, unwise, immoral, indecent, disagreeable, conservative, liberal, traditional, radical, or wrong headed.

Section 3345.0215 of the Revised Code requires that each state institution of higher education establish a process under which a student, student group, or faculty member may submit a complaint about an alleged violation of this policy by any employee of the institution.

(C) Scope

Nothing contained in this policy shall be construed as prohibiting the university from imposing measures that do not violate the First Amendment to the United States Constitution or sections 3 and 11 of Article I of the Ohio constitution such as:

- (1) Constitutional time, place, and manner restrictions;
- (2) Reasonable and viewpoint-neutral restrictions in nonpublic forums;
- (3) Restricting the use of the university's property to protect the free speech rights of students and

- (3) No person may retaliate against any individual because the individual made a report, testified, assisted, participated, or refused to participate in any manner in an investigation, proceeding, or hearing under this policy. The exercise of rights protected under the First Amendment to the United States Constitution or section 3 of article I of the Ohio constitution does not constitute retaliation prohibited under this paragraph.
 - (4) The university's commitment to freedom of expression does not extend to unlawful harassment as set forth in policies addressing harassment, the student code of conduct, university policy 33640-01 ("university of Toledo Title IX policy"), university policy 336450-02 ("nondiscrimination"), university policy 3364-15-04 ("non-retaliation policy")
- (F) Procedures
- (1) Reporting violations

Students, student groups, and faculty members may use any of the options below to submit a complaint about an alleged violation of this policy by a university employee. Complaints alleging a faculty member violated this policy will be forwarded to the office of the provost. Complaints alleging any other employee violated this policy will be forwarded to human resources for handling.
 - (2) Complaint, investigation and adjudication

Under the process, which shall comply with standards adopted by the Ohio chancellor of higher education, the university will investigate the alleged violation and conduct a fair and impartial hearing regarding the alleged violation. If the hearing determines the policy was violated, the university shall determine a resolution to address the violation and prevent any further violation of the university policy, which may include discipline of the employee, up to and including termination of employment.

A complaint filed pursuant to this policy will be reviewed, and if, in the sole discretion of the office receiving the complaint it is determined additional information is needed to determine whether a violation has occurred, that office will seek to find it. The office will then reach a determination on whether conduct may have violated this policy occurred. If that determination is reached, corrective action policies and procedures for the employee will be followed.

(G) Training

The university will establish training and education on the policy for all persons